

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ROBERT WAYNE HUGHES,

Plaintiff,

v.

KEVIN BOVENCAMP, et. al.,

Defendants.

CASE NO. 18-5717 RJB-JRC

ORDER ADOPTING REPORT AND
RECOMMENDATION

THIS MATTER comes before the Court on the Report and Recommendation of U.S. Magistrate Judge J. Richard Creatura. Dkt. 46. The Court has considered the Report and Recommendation (Dkt. 46), the Plaintiff's objections (Dkt. 47), and the remaining file.

In this case, the Plaintiff asserts that the Defendants violated his eighth amendment rights when they failed to provide him adequate medical treatment. He also asserts that they violated his fourteenth amendment rights. The Report and Recommendation recommends dismissal of the case with prejudice and revocation of the Plaintiff's *informa pauperis* ("IFP") status. Dkt.

46. The facts and procedural history are in the Report and Recommendation and are adopted here.

The Report and Recommendation (Dkt. 46) should be adopted. The Defendants' motion for summary judgment granted, Plaintiff's cross-motion for summary judgment denied, the case dismissed with prejudice, and the Plaintiff's IFP status revoked without prejudice. The Plaintiff's objections do not provide adequate grounds reject the Report and Recommendation. His arguments are largely a repetition of his prior assertions and are addressed in the Report and Recommendation. Without citation to any supporting evidence, the Plaintiff again disputes whether the course of medical treatment provided by the Defendants was proper. Further, he asserts that he did not receive all the discovery that he requested but fails to demonstrate that any of those materials would have meant that the Defendant's summary judgment should be denied.

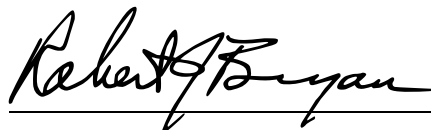
This case should be dismissed with prejudice. The Plaintiff's IFP status should be revoked without prejudice.

IT IS ORDERED THAT:

- The Report and Recommendation (Dkt. 46) **IS ADOPTED**;
- This case **IS DISMISSED WITH PREJUDICE**; and
- The Plaintiff's IFP status **IS REVOKED** without prejudice.

The Clerk is directed to send uncertified copies of this Order to U.S. Magistrate Judge J. Richard Creatura, all counsel of record, and to any party appearing *pro se* at said party's last known address.

Dated this 4th day of May, 2020.



ROBERT J. BRYAN
United States District Judge